

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

BOARD MEETING MINUTES
31 July/ August 1, 2008
495th Regular Meeting
11020 Sun Center Drive, Suite 200,
Rancho Cordova, CA 95670

THURSDAY, 31 JULY 2008

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND INTRODUCTIONS

At 8:30 am, Chairman Dr. Karl Longley called to order the 495th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670.

Board Members Present

Dr. Karl Longley, Chair	Kate Hart, Vice Chair	Cheryl Maki
Dan Odenweller	Paul Betancourt	Soapy Mulholland

Board Members Absent

Sandra Meraz

Staff Present

Pamela Creedon	Charlene Herbst	Lixin Fu
Jack Del Conte	Diana Messina	Melissa Hall
Jim Pedri	Duncan Austin	Michael Smith
Ken Landau	Gail Cismowski	Misty King
Lori Okun	Gina Kathuria	Neena Moitoso
Patrick Pulupa	Guy Childs	Paul Sanders
Emel Wahdwani	Jennifer LaBay	Pete Minkel
Kiran Lanfranchi-Rizzardi	Jim Barton	Phil Woodward
Alex McDonald	Jim Martin	Rudy Schnagl
Amy Terrel	Joe Mello	Stephanie Fong
Antonia Vorster	Jon Marshack	Stephen Louie
Bill Brittain	Karen Larsen	Wendy Cohen
Bill Marshall	Katie Bowman	Wendy Wyels
Brenden Kenny	Kim Schwab	

Others Present

Al Candlish	James King	Nancy Yoshikawa
Alan Wade	Jeff P.	Patty Hickel
Amanda Withron	Jeff Scharff	Paul Violett
Anitra Brosseau	Jody Johnson	Peter Rei
Bill Whiteside	Joe DiGiorgio	Phil George
Bob Bridge	Joel Miller	Rich Stowell
Carol Perkins	John Andrews	Rick Cunningham
Carrie Monahan	Karna Harrigfeld	Scott Miller
Dale Garrison	Ken Petruzzelli	Tom Skjelstad
Dale O'Bryan	Laura Caballero	Tom Vandenberg
Darrell Lowe	Laurie Laurent	Vicki Hawkins
David Chatigny	Mia Brown	Walter Clevenger
David Cory	Michael Eacoch	Walter Sadler
Gary Davis	Mike Thornton	Wendell Smith
Goran Planting	Mitchell Goode	Wendy Johnston
Guy Graening		

2. APPROVAL OF JUNE MINUTES

Motion to Approve 12 June 2008 Board Meeting Minutes Made By: Member Maki

Seconded by: Member Mulholland

Approved Unanimously

3. BOARD MEMBER COMMUNICATION

Dr. Karl Longley reported orally (with additional details provided in writing) several contacts including meetings with the Little Hoover Commission, CV Salts and Irrigated Lands Program, Stakeholders.

Dan Odenweller reported orally (with additional details provided in writing) several contacts, including CV Salts meetings.

4. PUBLIC FORUM

- Jeff Scharff gave a progress report on Winnemucca Trading Company's cleanup of the former Shasta Paper Company facility. Cleanup activity has been delayed by diversion of available trucks to fire fighting activity. Dewatering has commenced for interim cleanup.
- Carol Perkins, Butte Environmental Council, requested increased focus on water quality monitoring, and recognition that Butte Creek is a priority water body.

5. EXECUTIVE OFFICER'S REPORT

Executive Officer Creedon discussed the EO Report addendum on progress on enforcement. She further discussed the possible Governor's Executive Order and impacts on the Board's work. Ms. Creedon presented staff awards to Susan Timm, Dale Essary and Katie Bowman.

Karen Larsen provided an update on Delta work. Board members Hart and Odenweller were appointed as a subcommittee for consultation on Delta issues.

Jim Pedri provided a report on wildfire response.

6. UNCONTESTED CALENDAR

Enforcement

Agenda Item 16: City of Marysville, City of Marysville Wastewater Treatment Facility, Yuba County – Consideration of a Cease and Desist Order

Motion to adopt Cease and Desist Order with changes, made by: Member Maki

Seconded By: Vice Chair Hart

Approved by Roll Call Vote 6-0-0

Order Number R5-2008-0110

Agenda Item 17: Nevada County Sanitation District No. 1, Cascade Shores Wastewater Treatment Plant, Nevada County – Consideration of NPDES Permit Renewal and Cease and Desist Order

Motion to Adopt NPDES Permit Renewal made by: Vice Chair Hart

Seconded By: Member Maki

Unanimously Approved

Order Number R5-2008-0111

Motion to Adopt Cease and Desist Order made by: Vice Chair Hart
Seconded By: Member Mulholland
Approved by Roll Call Vote of 6-0-0
Order Number R5-2008-0112

Agenda Item 18: California Dairies, Inc., Tipton Milk Processing Facility, Tulare County – Consideration of Cease and Desist Order and NPDES Permit

Motion to Adopt the Cease and Desist Order made by: Vice Chair Hart
Seconded By: Member Maki
Approved by Roll Call Vote 6-0-0
Order Number R5-2008-0133

Motion to Adopt NPDES Permit with changes, made by: Member Maki
Seconded By: Vice Chair Hart
Unanimously Approved
Order Number R5-2008-0114

Agenda Item 19: Kraft Foods, Inc., Visalia Plant, Tulare County – Consideration of Order Rescinding Time Schedule Order and NPDES Permit

Motion to Adopt Order Rescinding Time Schedule Order made by: Vice Chair, Hart
Seconded By: Member Mulholland
Unanimously Approved
Order Number R5-2008-0115

Motion to Adopt Order Rescinding NPDES Permit Made by: Member Mulholland
Seconded By: Vice Chair Hart
Unanimously Approved
Order Number R5-2008-0115

Agenda Item 20: Visalia Medical Clinic, Inc., Tulare County - Consideration of Rescinding Time Schedule Order and NPDES Permit

Motion to Adopt Order Rescinding Time Schedule Order made by: Member Maki
Seconded By: Vice Chair Hart
Unanimously Approved
Order Number R5-2008-0116

Motion to Adopt Order Rescinding NPDES Permit Made by: Vice Chair Hart
Seconded By: Member Maki
Unanimously Approved
Order Number R5-2008-0116

Agenda Item 21: Coffee Petroleum, Inc., Coffee Lease, Round Mountain Oil Field, Kern County, Consideration of Rescinding Cleanup and Abatement Order

Motion to Adopt Order Rescinding Cleanup and Abatement Order made by: Member Mulholland
Seconded By: Vice Chair Hart
Unanimously Approved
Order Number R5-2008-0117

The Board Considered Agenda Items 13 and 22-26 except for item 24(a) which was moved to the Contested Calendar.

NPDES Permits – Agenda Item 22

- a) Aerojet-General Corporation, Sacramento Facility, Sacramento County – (Renewal)
Order Number R5-2008-0118
- b) California Department of Corrections and Rehabilitation Deuel Vocational Institution, San Joaquin County –Order. No. R5-2003-0065 (NPDES No. CA0078093) (Amendment) *Order Number R5-2008-0119*
- c) Stimpel-Wiebelhaus Associates, Inc., dba SWA at Mountain Gate Quarry, and Lehigh Southwest Cement Company, Shasta County – (Renewal) *Order Number R5-2008-0120*
- d) Bear Valley CSD Wastewater Treatment Plant, Kern County – (Renewal) *Order Number R5-2008-0121*

Waste Discharge Requirements for Confined Animal Facilities – Agenda Item 23

Greenwood Dairy, Glenn County (New) *Order Number R5-2008-0122*

Waste Discharge Requirements – Agenda Item 24

- a) Darkhorse LLC, Darkhorse Golf Club, LLC, and Ed Fralick, Darkhorse Subdivision Wastewater Treatment Facility, Nevada County (Order amending Waste Discharge Requirements Order No. R5-2002-0076)
(This item has been moved to the contested calendar and voted separately)
- b) Holiday Harbor Incorporated and U.S. Department of Agriculture Forest Service, Operation of Holiday Harbor Marina, Shasta County (Revision) *Order Number R5-2008-0125*
- c) Silverthorn Resort Associates Limited Partnership and U.S. Department of Agriculture Forest Service, Operation of Silverthorn Marina/Resort, Shasta County (Revision) *Order Number R5-2008-0126*
- d) Millerton New Town Wastewater Treatment Facility, Fresno County Service Area No. 34, Fresno County (Revised) *Order Number R5-2008-0127*
- e) Millerton New Town Recycling System, Fresno County Service Area No. 34, Fresno County *Order Number R5-2008-0128*
- f) Granite Construction Company, Keithly Ranch/Highway, 175 Quarry, Lake County (Resolution Amending Waste Discharge Requirements Order No. R5-2005-0115) *Order Number R5-2008-0129*
- g) The Rumsey Band of Wintun Indians, Yocha De He Golf Club Water Reclamation Project, Yolo County (Resolution Amending Waste Discharge Requirements Order No. R5-2006-0121) *Order Number R5-2008-0130*
- h) University of California Davis Campus, J. Amorochio Hydraulics Laboratory, Yolo County (New Discharge to Land WDRs; rescinding NPDES discharge) *Order Number R5-2008-0131*

Uncontested Change of Name and/Or Ownership – Agenda Item 25

Order Number R5-2008-0132

- a) Richard and Carole Rich, Lake Shasta Mobile Home Park, Shasta County, Order No. 86-063
- b) Golden State Vintners, Fresno County, Order No. 95-156
- c) Martin Marietta Material, Inc., Table Mountain Quarry, Butte County, Order No. 97-055
- d) Shadow Lake Mobile Home Community, Shadow Lake LLC and Member Beth S. Lewis, San Joaquin County, Order No. 5-00-245

Waste Discharge Requirements – Rescissions – Agenda Item 26

Order Number R5-2008-0133

- a) BNSF Railway Company, Nubieber RR Depot & Dormitory Pond, Shasta County, Order No. 90-048
- b) Clark's Septic Service, Linda Bibb, Richard Ruiz, and John Myrtakis Restaurant, Grease Trap and Poultry Waste Reuse Area, Stanislaus County, Order No. 93-047
- c) Mountain House Community Services District (CSD) and Trimark Communities, Waste Discharge Requirements, which authorizes wastewater discharge to land, Order No. 98-109
- d) AKF Development L.L.C., Former Spreckels Company Manteca Sugar Plant Lime Ponds, Waste Discharge Requirements/Monitoring & Reporting Program for Post-Closure, Order No. R5-2003-0024

No one present wished to contest any items

Motion to Adopt items 13 and 22-26 except for item 24(a) made by: Member Maki

Seconded By: Vice Chair Hart
Unanimously Approved

7. OTHER BUSINESS

Agenda Item 7: Workshop Discussing Regulatory Issues Associates with Abandoned Mines to Surface Waters. This is an informational item presented by Phil Woodward.

8. CONTESTED CALENDAR

Enforcement

Agenda Item 8: Soper Company, Spanish Mine, Nevada County – Consideration of Adoption of NPDES Permit and Cease and Desist Order

A public hearing was held. No one contested the order. Phil Woodward pointed out the late revisions to the Board. Lori Okun, Senior Legal Counsel made some corrections to the late revisions, on pages, 2, 8, and 9 of the late revisions.

Motion to Adopt NPDES Permit with late revisions made by: Member Betancourt
Seconded By: Member Mulholland
Unanimously Approved
Order Number R5-2008-0104

Motion to Adopt the Cease and Desist Order made by: Member Betancourt
Seconded By: Member Mulholland
Approved by Roll Call Vote 6-0-0
Order Number R5-2008-0105

Agenda Item 9: Ronald and Betty Logan, North Continent Land and Timber Company, Inc., and New Era Mining Corp., New Era Mine, Butte County-Consideration of New Waste Discharge Requirements

This item was removed from the agenda for consideration at a future board meeting

Agenda Item 24(a): Darkhorse LLC, Darkhorse Golf Club, LLC, and Ed Fralick, Darkhorse Subdivision Wastewater Treatment Facility, Nevada County (Order amending Waste Discharge Requirements Order No. R5-2002-0076)

A public hearing was held. Wendy Wyels presented the staff report. Additional testimony given by: Guy Childs, Bob Bridge, Gordon Plantenga and Vicky Hawkins.

Vice Chair Hart recused herself

Motion to Adopt the Amended Waste Discharge Requirements Made By: Member Maki
Seconded By: Member Mulholland
Abstained: Member Odenweller
Approved by vote of 4-0-2
Order Number R5-2008-0123

Agenda Item 10: Management Agency Agreement with the U.S. Bureau of Reclamation addressing Salinity in the Lower San Joaquin River

Jim Martin presented the staff report. Additional testimony was given by Al Candlish, Karna Harrigfield, Mia Brown and David Cory.

Motion to Approve the Management Agency Agreement Made By: Member Betancourt
Seconded By: Chair, Dr. Longley
Not Approved

Motion to Approve the Management Agency Agreement with Amendment made by: Member Maki
Seconded By: Member Mulholland
Approved with Amendment with a vote of 5-1-0

Agenda Item 11: TML Development LLC, Thunder Mountain Lodge, Amador County – Consideration of an Administrative Civil Liability Order

This item was removed from the agenda for consideration at a future board meeting

Agenda Item 12: City of Folsom, Folsom Corporation Yard Landfill, Class III Landfill, Sacramento County - Consideration of Updated Waste Discharge Requirements for Clean Closure

Legal Counsel Patrick Pulupa provided recommendations on which documents should be included in the record of the hearing.

A public hearing was held. Bill Marshall presented the staff report. Additional Testimony was given by Laurie Laurent, Walter Clevenger, Guy Graening, Alan Wade, and Laura Caballero.

Motion to Adopt the Updated Waste Discharge Requirements Made By: Vice Chair Hart
Seconded By: Member Maki
Approved Unanimously
Order Number R5-2008-0106

Agenda Item 13: University of California, Davis and United States Department of Agriculture Aquatic Weed Control Laboratory, Yolo County – Consideration of NPDES Permit Renewal (NPDES No. CA0083363). This item was removed from the contested calendar *Order Number R5-2008-0107*

A public hearing was held. No one contested the order.

Agenda Item 14: City of Rio Vista Beach Wastewater Treatment Plant, Solano County – Consideration of NPDES Permit Renewal (NPDES No. CA0078018) and Time Schedule Order

A public hearing was held. Jim Marshall presented the staff report. Additional testimony was given by Rich Stowell.

Motion to Renew the NPDES Permit with late revisions Made By: Member Mulholland
Seconded By: Vice Chair Hart
Approved Unanimously
Order Number R5-2008-0108

Motion to Adopt the Time Schedule Order Made By: Member Maki
Seconded By: Vice Chair Hart
Approved Unanimously
Order Number R5-2008-0109

Agenda Item 15: City of Colusa Wastewater Treatment Plant, Colusa County – Consideration of NPDES Permit Renewal (NPDES No. CA0078999)

A public hearing was held. Diana Messina presented the staff report. Additional Testimony was given by Rich Stowell and Ken Landau.

Motion to Renew the NPDES Permit Made By: Member Mulholland
Seconded By: Member Maki
Not Adopted
Item Continued

Meeting Adjourned at 4:48pm

FRIDAY, 1 AUGUST 2008

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND INTRODUCTIONS

At 8:30 am, Chairman Dr. Karl Longley called to order the 495th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670.

BOARD MEMBERS PRESENT

Dr. Karl Longley, Chair	Soapy Mulholland	Cheryl Maki
Dan Odenweller	Paul Betancourt	

BOARD MEMBERS ABSENT

Sandra Meraz	Kate Hart, Vice Chair
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STAFF PRESENT

Pamela Creedon, EO	Lori Okun, Chief Legal Counsel
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2. Strategic Plan – Agenda Item 28

The Board continued its Strategic Planning process of setting goals for the Central Valley Regional Water Quality Control Board.

3. Closed Session

The Board adjourned to closed session at 11:02am, to discuss City of Merced litigation; and reconvened in open session to continue with Strategic Planning, at 11:25am.

Meeting adjourned at 3:00pm